

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS**

IN RE:) Chapter 13
)
KIMBERLEY BOLDEN,) Case No. 16-30459
)
Debtor(s).) Judge Schmetterer

NOTICE OF MOTION

The following persons or entities who have been served via electronic mail:

U.S. Bankruptcy Trustee: USTPRegion11.ES.ECF@usdoj.gov
Tom Vaughn, Chapter 13 Trustee: ecf@tvch13.net

The following persons or entities who have been served via U.S. Mail:

See attached list.

Please take notice that I shall appear before the following named Bankruptcy Judge, or any other Judge presiding in her stead at 219 South Dearborn Street, Chicago, IL 60604, and present the attached **Motion to Modify Chapter 13 Plan**, at which time and place you may appear.

JUDGE: Schmetterer
ROOM: 682
DATE: January 10, 2018
TIME: 9:00 AM

PROOF OF SERVICE

The undersigned certifies that a copy of this Notice of Motion and attachments were deposited at the United States Post Office, Wheeling, Illinois, 60090, on or before December 20, 2017, with sufficient postage prepaid, or served electronically by the bankruptcy court, under oath and under all penalties of perjury.

/s/ Dustin B. Allen
Dustin B. Allen, A.R.D.C. #6312451
Attorney for the Debtor(s)

DAVID M. SIEGEL & ASSOCIATES
790 Chaddick Drive
Wheeling, IL 60090
847/520-8100

To the following persons or entities who have been served via first-class U.S. Mail:

Kimberley Bolden
1929 N. Howe St., #1E
Chicago, IL 60614

IRS
Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Quantum3 Group LLC as agent for
Comenity Bank
PO Box 788
Kirkland, WA 98083-0788

Cavalry Spv I, LLC
Bass & Associates, P.C.
3936 E. Ft. Lowell Road, Suite #200
Tucson, AZ 85712

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Bass & Associates, P.C.
3936 E. Ft. Lowell Road, Suite #200
Tucson, AZ 85712

Portfolio Recovery Associates, LLC
Successor to CAPITAL ONE BANK, N.A.
(CAPITAL ONE BANK, N.A.)
POB 41067
Norfolk, VA 23541

Wilmington Savings Fund Society, FSB, d/b/a Christ
c/o Selene Finance LP
9990 Richmond Ave. Ste 400 South
Houston, TX 77042

Portfolio Recovery Associates, LLC
Successor to CAPITAL ONE BANK, N.A.
(CAPITAL ONE BANK, N.A.)
POB 41067
Norfolk, VA 23541

Illinois Department of Revenue
Bankruptcy Unit
PO Box 19035
Springfield, IL 62794-9035

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MOTION TO MODIFY CHAPTER 13 PLAN

NOW COME the Debtor, KIMBERLEY BOLDEN, by and through their attorneys, DAVID M. SIEGEL AND ASSOCIATES, to present this Motion, and in support thereof states as follows:

- 1) Jurisdiction is proper and venue is fixed in this Court with respect to these parties.
- 2) On September 26, 2016, the Debtor filed a voluntary petition for relief pursuant to Chapter 13 under Title 11 USC, and the Chapter 13 plan was confirmed on June 21, 2017. Tom Vaughn was appointed Trustee in this case.
- 3) The Debtor's Chapter 13 plan currently provides for payments of \$2,450.00 for 60 months, with payments to the General Unsecured Creditors in full.
- 4) The Debtor is currently in default in the amount of \$24,500.00.
- 5) The Debtor fell behind because she is longer at her job, and has been working part-time with a staffing agency. This has resulted in much less disposable income each month.
- 6) The Debtor proposes to modify her Chapter 13 plan pursuant to 11 U.S.C. §1329 to reduce her monthly plan payment to \$550.00 and defer the plan payment default to the end of the plan. Debtor makes this proposal in good faith and with the intention of completing her Chapter 13 plan.
- 7) Deferring the plan payment default and increasing the plan payment to \$550.00 will not cause the confirmed Chapter 13 plan to run longer than 60 months and will continue to pay General, Unsecured Creditors in full.

WHEREFORE, the Debtor, KIMBERLEY BOLDEN, prays that this Honorable Court enter an Order to Modify the Chapter 13 Plan, and for other such relief as the Court deems fair and proper.

Respectfully Submitted,

/s/ Dustin B. Allen
Dustin B. Allen, A.R.D.C. #6312451
Attorney for the Debtor(s)

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790 Chaddick Drive
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